



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P. O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

N. Scott Pierce  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
530 Virginia Road  
Post Office Box 9133  
Concord, Massachusetts 01742-9133

**COPY MAILED**

JUL 07 2005

**OFFICE OF PETITIONS**

In re Application of :  
Mark W. Simon : DECISION ON  
Application No.: 10/060,982 : PETITION  
Filing Date: 30 January 2002 : UNDER 37 CFR 1.137(b)  
Attorney Docket No.: 2523.2003-000 :  
:

This is a decision on the petition under 37 CFR 1.137(b), filed 30 August 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to submit the issue fee in a timely manner in reply to the Notice of Allowance mailed 06 May 2004, which set a statutory period for reply of three (3) months. Accordingly, the above-identified application became abandoned on 07 August 2004.

The present petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the Issue Fee under 37 CFR 1.18(a), (2) the petition fee, and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the Notice of Allowance of 06 May 2004 is accepted as having been unintentionally delayed.

This matter is being referred to the Office of Publications.

Telephone inquiries concerning this decision should be directed to Nguyen Ngoc-Ho at (571) 272-3290.

*Wan Laymon*  
Wan Laymon  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy  
NNH/WL:hn